

LIBER 23 PAGE 65
CERTIFICATE OF PUBLICATION

From THE NEWS-POST

Frederick, Md.

NO. 20,467 Equity

Frederick, Md. November 27, 19 63.

This is to certify, That the annexed Order of
Publication was published in The Frederick Post
a newspaper published in Frederick County, once a week for
four (4) successive weeks, the last of such publications
being made not less than 30 days prior to the thirty first
day of December, 19 63.

THE NEWS-POST

Filed December 12, 1963 Per *Geo. B. Delaplaine*
Geo. B. Delaplaine

NO. 20,467 EQUITY
In The Circuit Court For Frederick
County, In Equity
Carrie S. Bartlett and Elmer C. Bart-
lett, R. F. D. No. 4, Frederick, Mary-
land, Vs Preston Michael and Elsie
Meier Michael, his wife, 3732 Howard
Road, Richmond, Virginia.

ORDER OF PUBLICATION

The object of this Bill is that the Court may take jurisdiction in the premises and enter a Decree declaring that the real estate described in the Bill of Complaint is not susceptible to a division in kind and to appoint a Trustee or Trustees to sell the same and distribute the proceeds therefrom under its direction. The Bill recites that by deed dated July 28, 1844, and recorded in Liber J.W.L.C. No. 4, Folio 227, one of the Land Records of Frederick County, Jenn W. Cook and Charlotte L. Cook, his wife, conveyed unto Samuel Thomas, all those certain places, parcels or tracts of land situate, lying and being in Frederick County, State of Maryland, being parts of tracts of land called "Belling Spring," "Mistaken Run" and "Father's Secure," or by whatsoever other name or names the same may be known or called, containing sixty-eight (68) acres, three (3) rods and thirty-five (35) square perches of land, more or less; that the said Samuel Thomas departed this life, intestate, and a widower in the year 1889, whereupon his interest in the aforesaid real estate descended unto his eight children, as his only heirs at law, namely: George D. Thomas, Bruce V. Thomas, Milton F. Thomas, Bennett R. Thomas, Annie A. Thomas, Lottie V. Thomas, May I. Thomas and Mattie C. Michael, each of said parties being seized and possessed upon his death of a one-eighth interest therein; that Mattie C. Michael, one of the children of the said Samuel Thomas, did convey her one-eighth interest in the aforesaid tract of land unto Bruce V. Thomas, another of the children and heir at law of Samuel Thomas, by deed dated April 29, 1926, and recorded in Liber No. 331, Folio 449, one of the Land Records of Frederick County; that George D. Thomas, another of the children and heirs at law of Samuel Thomas, departed this life, unmarried and intestate, in the year 1927, whereupon his one-eighth interest in the aforesaid real estate descended unto the remaining living children, namely: Bruce V. Thomas, Milton F. Thomas, Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas, May I. Thomas and Mattie C. Thomas; that Milton F. Thomas, one of the heirs at law and children of Samuel Thomas, departed this life in the year 1948, leaving as his only heirs at law his widow, Emma S. Thomas, to whom one-third of his interest descended, and his daughter, Carrie S. Bartlett, to whom two-thirds of his interest descended; that the said Emma S. Thomas departed this life intestate in the year 1942, leaving as her only heir at law, her daughter, Carrie S. Bartlett, to whom her interest in the aforesaid real estate descended; that Mattie C. Michael departed this life in August, 1947, intestate and a widow, whereupon her interest in the aforesaid real estate descended to her only child and heir at law, namely Preston Michael, the respondent herein; that Bruce V. Thomas departed this life in February, 1949, intestate and unmarried, whereupon his interest in the aforesaid real estate descended unto his brothers and sisters then living, namely, Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas and May I. Thomas; that by deed dated October 27, 1949, and recorded in Liber No. 481, Folio 496, one of the Land Records of Frederick County, the aforesaid Bennie R. Thomas, unmarried, Annie A. Thomas, unmarried, Lottie V. Thomas, unmarried, and May I. Thomas, unmarried, conveyed all their right, title and interest in and to the aforesaid real estate unto Helen F. Mock; that the said Helen F. Mock did by deed bearing date on the 17th day of October, 1949, and recorded in Liber No. 481, Folio 497, one of the Land Records of Frederick County, convey all of her interest in and to the aforesaid real estate unto the said Bennie R. Thomas, Annie A. Thomas, Lottie V. Thomas and May I. Thomas, as joint tenants and not as tenants in common, that Lottie V. Thomas died unmarried and intestate in the month of November, 1951, that Annie V. Thomas died unmarried and intestate in the month of November, 1953, that Bennie R. Thomas died unmarried and intestate in the month of November, 1961, whereupon the entire interest under the hereinabove mentioned deed from Helen F. Mock became vested in May I. Thomas, who departed this life, unmarried and intestate in the month of September, 1963, that upon the death of May I. Thomas, unmarried and intestate, her interest as the surviving joint tenant descended unto Carrie S. Bartlett, whose husband is Elmer C. Bartlett, and Preston Michael, whose wife is Elsie Meier Michael, as the only surviving niece and nephew of the said May I. Thomas and which, with the previous interest acquired by the aforesaid parties by descent as above set forth, resulted in nine-sixteenths interest in the aforesaid real estate being vested in the said Carrie S. Bartlett, and seven-sixteenths interest in said real estate being vested in the said Preston Michael;

It is THEREUPON this 30th day of October, 1963, by the Circuit Court for Frederick County, sitting as a Court of Equity, and by the authority thereof, ORDERED that the Complainants, by causing a copy of this Order to be inserted in some newspaper published in Frederick County, Maryland, once a week in each of four successive weeks, the last of such publications to be not less than thirty (30) days before the 31st day of December, 1963, give notice to the said Preston Michael and Elsie Meier Michael, his wife, of 3732 Howard Road, Richmond, Virginia, now resident respondents in this cause, of the object and substance of this Bill of Complaint, ordering them to appear in this Court in person or by solicitor on or before the 31st day of December, 1963, next, to show cause, if any there be, why a Decree ought not to be passed as prayed.

ELLIS C. WACHTER
Clerk of the Circuit Court
for Frederick County, Md.

Richard E. Zimmerman,
Solicitor for Complainants
120 West Church Street
Frederick, Maryland
663-3591

Filed October 30, 1963
True Copy—Test:
ELLIS C. WACHTER
Clerk